

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER,
Plaintiff,

v.

ZAHRA NOWROUZI, et al.,
Defendants.

Case No. [21-cv-03039-HSG](#)

**ORDER GRANTING MOTION TO
STRIKE DEFENDANTS' ANSWER
AND ENTER DEFAULT**

Re: Dkt. No. 67

Before the Court is Plaintiff's motion to strike Defendants' answer and enter default. Dkt. No. 67 (or the "Motion"). Defendants failed to file an opposition to the Motion by the deadline under the Local Rules.

Since their attorney withdrew from representing them, Dkt. No. 54, Defendants have failed to engage in the judicial process. Defendants did not submit settlement conference statements by the deadline, resulting in the cancellation of the settlement conference. Dkt. No. 58. After Defendants failed to appear at a case management conference set by this Court, the Court issued an order to show cause why Defendants should not be sanctioned for failing to comply with court deadlines. Dkt. No. 63. Defendants submitted no response. Defendants' latest failure to respond to the Motion fits a months-long pattern of non-responsiveness.


In light of Defendants' failure to appear and to comply with court orders, as well as their failure to oppose the Motion, the Court **GRANTS** the Motion and exercises its inherent power to control its docket to **STRIKE** the Answer of Defendants Zahra Nowrouzi and Rouhollah R. Nowrouzi, Dkt. No. 32.¹ Entry of default is also hereby entered as to Defendants Zahra Nowrouzi

¹ See *Thompson v. Housing Auth. of City of L.A.*, 782 F.2d 829, 831 (9th Cir. 1986) ("District courts

and Rouhollah R. Nowrouzi.

IT IS SO ORDERED.

Dated: 7/25/2022


HAYWOOD S. GILLIAM, JR.
United States District Judge

United States District Court
Northern District of California

have inherent power to control their dockets. In the exercise of that power they may impose sanctions including, where appropriate, default or dismissal.”); *PNC Equip. Fin. LLC v. California Fairs Fin. Auth.*, No. CV116248MMMDTBX, 2013 WL 12128689, at *2 (C.D. Cal. June 13, 2013) (striking defendant’s answer in light of its failure to appear and to comply with court orders); *Animal Blood Bank, Inc. v. Hale*, No. 2:10–cv–02080 KJM KJN, 2012 WL 2160960, *4-5 (E.D. Cal. June 13, 2012) (same); *Schudel v. Searchguy.com, Inc.*, No. 07cv0695 BEN, 2010 WL 1945743 (S.D. Cal. May 13, 2010) (same); *Netsuite, Inc. v. CIPC Worldwide Holdings Corp.*, No. C 07-5235 SI, 2008 WL 2812164, *3 (N.D. Cal. July 21, 2008) (same).